

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

GEORGE BROWN, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:06CV191 FRB
	)	
CHRIS RATEAJ, et al.,	)	
	)	
Defendants.	)	

**ORDER**

This matter is before the Court for review pursuant to Rule 4(m), Federal Rules of Civil Procedure.

Plaintiff commenced this action on December 29, 2006. After plaintiff was granted leave to proceed in forma pauperis, his Complaint was filed on February 20, 2007, and the Clerk was ordered to issue process on the defendants named therein. A review of the Court file shows, however, that defendant Calvin Howard has not yet been served in this matter nor has service been waived on his behalf. Under Rule 4(m), Federal Rules of Civil Procedure, the Court, after notice to the plaintiff, is directed to dismiss an action against a defendant upon whom service has not been made within 120 days after the filing of the Complaint.

The Rule 4(m) period for service expires June 20, 2007, 120 days after the filing of plaintiff's Complaint.

Therefore,

**IT IS HEREBY ORDERED** that plaintiff shall cause service to be effected upon defendant Calvin Howard not later than **June 20,**

**2007.** In the absence of good cause shown, failure to effect timely service shall result in the dismissal without prejudice of plaintiff's claims against this unserved defendant.



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UNITED STATES MAGISTRATE JUDGE

Dated this 2nd day of May, 2007.